

EX PARTE OR LATE FILED

RECEIVED

DOCKET FILE COPY ORIGINAL

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY  
THE SECRETARY - ROOM 222

9 APR 1993

IN REPLY REFER TO:

7330-7/1700A3

Honorable Jack Kingston  
House of Representatives  
Washington, D.C. 20515

Dear Congressman Kingston:

This is in reply to your letter of March 25, 1993, in which you inquired on behalf of your constituent, John Lake, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Your constituent is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take your constituent's concerns into account when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Your constituent's letter will be included in the record of the proceeding. We expect final rules to be issued in 1994.

Sincerely,

*Edward R. Jacobs*

Edward R. Jacobs  
Deputy Chief, Land Mobile  
and Microwave Division  
Private Radio Bureau

Enclosures

cc:

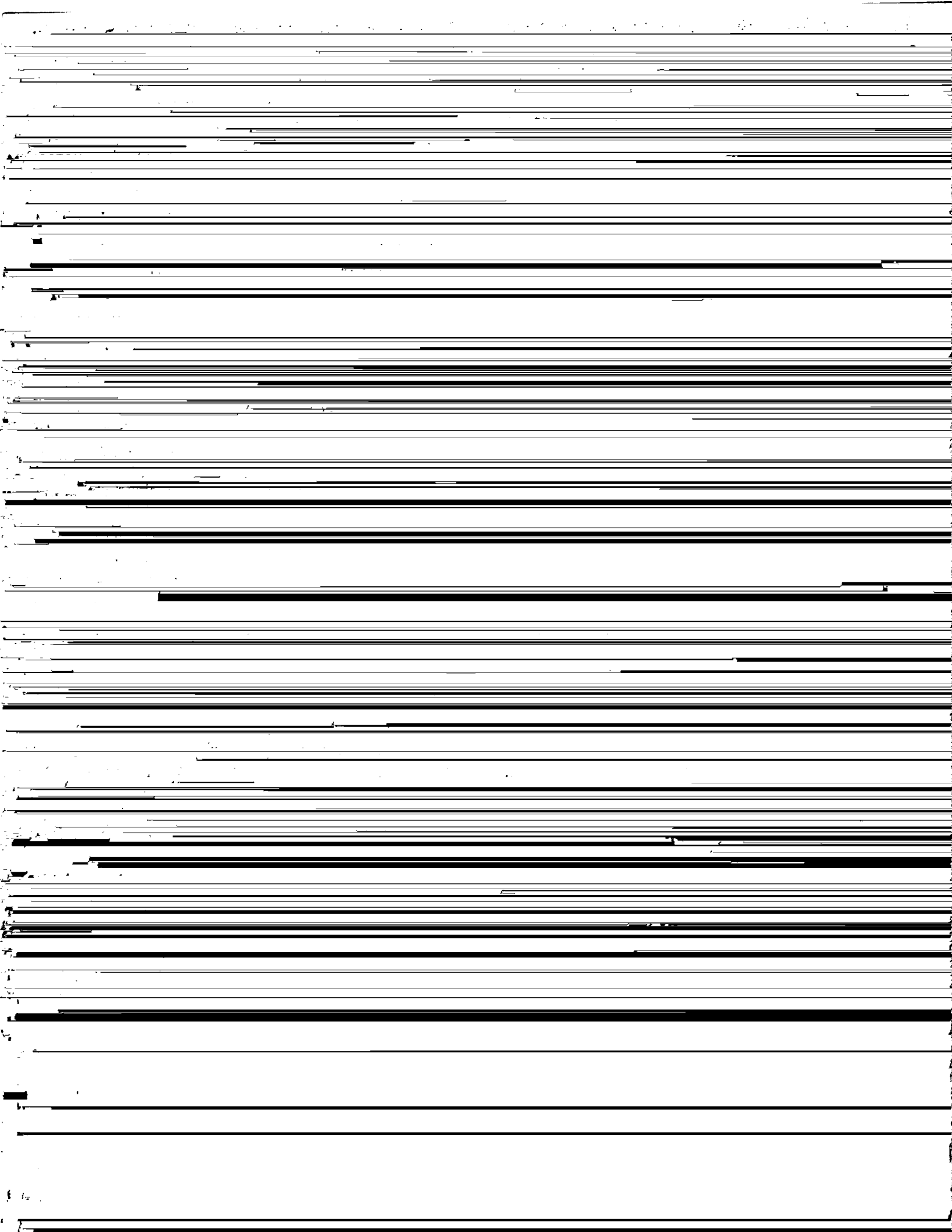
CNTL NO - 930 1466

Chief, PR Bureau  
Chief, LM&M Division  
Docket Files, Room 222  
P&P Branch File (Pink)

DFertig/RShiben:gb/sf/lm:PR

No. of Copies rec'd 2 copies  
List A B C D E





Mr. Kingston  
February 3, 1993

Mr. Jack Kingston  
House Office Building  
Washington DC  
20515

Dear Mr. Kingston,

I am active in our local Radio Control Flying Club, "Kings Bay Modelers" with approximately 30 members located in St. Marys, GA. The models I build weigh between 3 and 12 pounds and operate up to 120 mph.

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72 - 76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely,

*John A. Lake Jr.*